



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

**STATE OF DELAWARE
REAL ESTATE COMMISSION**

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us

PUBLIC MEETING MINUTES:	REAL ESTATE COMMISSION
MEETING DATE AND TIME:	Thursday, December 10, 2015 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , Second Floor of the Cannon Building
MINUTES FOR APPROVAL	January 14, 2016

MEMBERS PRESENT

Justin Healy, Professional Member, Chairman
Jason Giles, Professional Member, Vice Chairman
Lynnette Scott, Professional Member, Secretary
Andrew Staton, Professional Member
Michael Harrington, Sr., Professional Member
Lynn Rogers, Public Member
Joseph F. McCann, Public Member

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Gayle MacAfee, Deputy Director
Eileen Kelly, Deputy Attorney General
Sandra Wagner, Administrative Specialist III
Jessica Williams, Administrative Specialist II

MEMBERS ABSENT

Curtis Rogers, Public Member

ALSO PRESENT

Yokahoma Johnson, Exit Central Realty
Bruce Plummer, Coldwell Banker Resort Realty

CALL TO ORDER

Mr. Healy called the meeting to order at 9:00 a.m.

REVIEW OF MINUTES

Mr. Staton made a motion, seconded by Mr. Giles to approve the minutes of the meeting held on November 12, 2015 as written. By unanimous vote, the motion carried.

NEW BUSINESS

Education Committee Report

Ms. Williams went through the Education Committee minutes with the Commission. The Education Committee reviewed five new course provider applications of which all five were approved. They

reviewed four instructor applications and two were approved and two approved with modifications. They reviewed one student request and that was approved for module 7 only.

Ms. Williams addressed the Commission about a letter that was submitted in regards to the school that is held at the Keller Williams Central Delaware's office. The letter was submitted by an anonymous concerned broker. The letter brought out several concerns. These same concerns were addressed in a letter that was sent out a little over a year ago to all course providers. Ms. Williams stated that the student evaluations for these particular course providers have not risen to the level to be considered a negative course evaluation per the education guidelines. The Education Committee spoke at length about the letter and their recommendation to the Commission is to send a letter telling the course provider in detail what was in the anonymous letter. The letter will ask the school to cease and desist any violations of the guidelines. If the violations continue, the school will be advised that they could possibly get their approval to teach revoked.

Ms. Scott asked if there was going to be any monitoring done to make sure these problems do not continue. Ms. Williams advised that in the past the Education Committee had suggested course monitoring to the Commission, but the Commission declined to support this plan.

Mr. Sedita was present for the Education Committee's meeting and the Committee asked Mr. Sedita what his thoughts were since he is a course provider. Mr. Sedita stated that he makes it a part of his presentation to explain to the students that if they are interested in going with a certain company that is their right and that he does not solicit the students for his company.

Mr. Staton made a motion, seconded by Mr. Giles, to send a letter to the school and course provider telling them the details of the complaint and that they need to cease and desist.

The Commission will send another letter to all course providers, again telling them that the guidelines need to be followed. By unanimous vote, the motion carried.

Ms. Kelly will work on the letter that will be sent out.

Recommendation to Approve and Deny Course Providers, Instructor Applications and Student Requests as Noted

Mr. Staton made a motion, seconded by Mr. Giles, to approve the minutes and the education approvals submitted by the Education Committee. By unanimous vote, the motion carried.

Discussion and Review of Hearing Officers Recommendations

Bruce Cain – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Giles describing the sanctions. After discussion, Mr. Giles made a motion, seconded by Ms. Scott, to accept the Hearing Officer's recommendation with amendment of 14 day suspension. By majority vote, the motion carried with Mr. Harrington opposing.

Christopher Diebold – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Healy describing the sanctions. After discussion, Mr. Healy made a motion, seconded by Mr. Harrington, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Jessica Floyd – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Staton describing the sanctions. After discussion, Mr. Staton made a motion, seconded by Mr. McCann, to accept the Hearing Officer's recommendation with amendment of minimum 30 day suspension. By unanimous vote, the motion carried.

Yokahoma Johnson – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. McCann describing the sanctions. Ms. Johnson was present and

addressed the Commission. After discussion, Mr. McCann made a motion, seconded by Mr. Staton, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Vanessa Nyemb – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. L. Rogers describing the sanctions. After discussion, Mr. L. Rogers made a motion, seconded by Mr. Giles, to accept the Hearing Officer's recommendation with amendment of a minimum of 30 days suspension. By unanimous vote, the motion carried.

John Ballen – Commission members reviewed the Disciplinary Recommendation from the Hearing Officer with Ms. Scott describing the sanctions. After discussion, Mr. Giles made a motion, seconded by Mr. McCann, to accept the conclusions of law made by the Hearing Officer but amend the discipline to permanent revocation of Mr. Ballen's license and a fine of \$5,000.00 per violation for a total of \$15,000.00. By majority vote, the motion carried with Mr. Staton recusing.

Applications for Licensure

Ratification of Salesperson Applications

Mr. Harrington made a motion, seconded by Mr. McCann, to ratify the following applications for salespersons:

Christopher Reda, BHHS PenFed Realty, Ocean City, MD
Sharon Slevin, Long & Foster, Bethany Beach, DE
Ralph Petti, BHHS Fox & Roach, Wilmington, DE
Glenn Fornoff, Coldwell Banker Resort Realty, Rehoboth Beach, DE
Catherine Savastana, Patterson Schwartz & Associates, Wilmington, DE
Heidi Hitchcock, Keller Williams Realty, Lewes, DE
Jing Cao, Realty Mark Associates, Newark, DE
Victoria Sianni, PRS Real Estate Group, Wilmington, DE
Amber Isaac, Premier Realty, Inc., Wilmington, DE
Michael Harkley, The Moving Experience DE, Inc., Dover, DE
Melissa Ellis, Patterson Schwartz, Greenville, DE
Jill Nelson, Patterson Schwartz, Newark, DE
Amelia Jernejcic, Patterson Schwartz, Middletown, DE
Patrishia McGreevy, Patterson Schwartz, Hockessin, DE
Susana Mendoza, BHHS Fox & Roach, Wilmington, DE
Elizabeth Kapp, Long & Foster Real Estate, Inc., Bethany Beach, DE
Tammy Watts, Long & Foster, Bethany Beach, DE
John Edwards, Keller Williams Realty, Wilmington, DE
Courtney Taylor, Long & Foster Real Estate, Bethany Beach, DE
Barry Bowman, Keller Williams Realty, Wilmington, DE
James Ryan, Long & Foster Real Estate, Lewes, DE
Beverly Wright, BHHS Fox & Roach, Newark, DE
Emily Troupe, Patterson Schwartz & Associates, Wilmington, DE
Monica Bonner-Minta, Keller Williams Realty, Wilmington, DE
Joelle Genevish, BHHS Gallo, Rehoboth Beach, DE
Srinivas Chennareddy, Chester County Regional Realty/Keller Williams Real Estate, West Chester, PA
Joseph Petrone, Ocean Atlantic Sothebys Intl Realty, Rehoboth Beach, DE
Leslie Whitten, III, RE/MAX New Beginnings, Baltimore, MD
John Harvey, Pantano Real Estate, Inc., Wilmington, DE
Jeffrey Henry, BHHS Fox & Roach, Newark, DE
Gina Spiese, RE/MAX Associates, Newark, DE
Apyrl Parcher, Keller Williams Realty, Lewes, DE

Rebecca Pugh, Weichert Realtors – First Class, Dover, DE
Stephanie Griffith, RE/MAX Associates, Lewes, DE
Ashley Lyon, RE/MAX Horizons, Inc., Dover, DE
Guy Abernathey, Long & Foster Real Estate, Inc., Rehoboth Beach, DE
Monica Shire, Realty Mark Associates, Newark, DE
Dana Bendel, Weichert Realtors - First Class, Dover, DE
Lucy Scheivert, Keller Williams Real Estate, Media, PA
Brittany McCunney, Maggio Shields Real Estate Brokerage, Rehoboth Beach, DE
Chad Gwinn, Maggio Shields Real Estate Brokerage, Rehoboth Beach, DE
Brent duPont, Brandywine Fine Properties-Sotheby's Intl Realty, Centerville, DE
David Dillman, RE/MAX Sunvest Realty, Wilmington, DE
Phillip Schnelle, Patterson Schwartz & Associates, Inc., Newark, DE
Marc Bathon, Hileman Real Estate, Berlin, MD
Jeri Sheats, ExP Realty of Delaware, Dover, DE
Belle Dougherty, Weichert Realty-First Class, Dover, DE
Isbelis Yuncosa, PRS Real Estate Group, Wilmington, DE
George Fiorile, Keller Williams Realty, Wilmington, DE
Raymond Becker, Patterson-Woods & Associates, LLC, Wilmington, DE
John Rowley, R & R Commercial Realty, Dover, DE
John Carpenter, Patterson Schwartz Real Estate, Hockessin, DE

By unanimous vote, the motion carried.

Review of Salesperson Application

Ms. Kelly advised that Ms. Rochelle Bartlett has a conviction of controlled substance offense in manufacturing/delivery. Mr. Staton made a motion, seconded by Mr. Giles, to grant a waiver to Ms. Bartlett and approve the reciprocity application submitted. By unanimous vote, the motion carried.

Ratification of Broker and Associate Broker Applications

The Commission ratified the broker's application of John Collich. Mr. Staton made a motion, seconded by Ms. Scott, to approve Mr. Collich's application. By unanimous vote, the motion carried.

Review of Broker and Associate Broker Applications

The Commission reviewed the broker's application of Donald Plunkett, Jr. Mr. Staton made a motion, seconded by Mr. McCann, to approve Mr. Plunkett's application. By unanimous vote, the motion carried.

Ratification of Applications for Reinstatement

The Commission ratified the application of Diana Harbert for reinstatement of a Salesperson's license. Mr. Staton made a motion, seconded by Mr. Giles, to approve Ms. Harbert's reinstatement application. By unanimous vote, the motion carried.

Review of Applications for Reinstatement

The Commission reviewed the application of Richard Carey for reinstatement of a Salesperson's license. Mr. Giles made a motion, seconded by Mr. Harrington, to approve Mr. Carey's reinstatement application upon successful passing of both exams. By unanimous vote, the motion carried.

Review of Applications for New Office

The Commission reviewed the application of Mann & Sons Referrals for a new main office. Mr. Harrington made a motion, seconded by Mr. Staton, to approve the new office application for Mann & Sons Referrals. By unanimous vote, the motion carried.

Status of Complaints

Complaint # 02-03-15 – closed by Investigator

Complaint # 02-18-15 – closed by Investigator

Correspondence

Letter from Margaret Lawson

Ms. Wagner explained what the scenario behind Ms. Lawson's note. This letter was an FYI for the Commission. No action needed.

OLD BUSINESS

Tabled Discussion and Review of Hearing Officers Recommendations

Ms. Kelly explained to the Commission that at the last meeting a decision was made in regards to Mr. Sell's recommendation and that the decision made will have to stand. It was not Mr. Sell's fault that he left the meeting, after he thought the decision was over, and the Commission then tabled his recommendation. No action needed.

Review and Sign Orders from Recommendations

The following orders were signed by Mr. Giles.

Shabana Bajwa - salesperson
Joseph Barba, Jr. – salesperson
Daniel Beirne – broker
Elizabeth Campion – salesperson
Albert Clark – salesperson
Joseph Cole – salesperson
Alan Davis - broker
Christopher Dempsey - salesperson
Artis Grier - salesperson
Karen Leary-Elcock - salesperson
Donnell McNair - salesperson
Christopher Murphy – salesperson
Marguerite Parker – salesperson
Charles Phelps – broker
Pamela Price – salesperson
Kellie McAteer - salesperson
Kay Anderson - salesperson
Sandra Camarote – salesperson
Jeremy Carvell – salesperson
Robert Farrell – salesperson
Jose Guzman – salesperson
Dianna Hernandez-Vance – salesperson
Nancy Joseph - salesperson
Chet Keith - salesperson
Michael Moyer - salesperson
Shirley O'Toole - salesperson
Joshua Sell - salesperson
Darren Thomas – salesperson
Shay Weldin – salesperson
Libby Wilson-McCormack – salesperson
Zi Zhou – salesperson

Karen Pavlik – salesperson

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

Mr. Harrington stated that he received an invitation to Legislative Hall for a meeting with the Auctioneers. Delaware Association of Realtors was also invited. The purpose of the meeting was to come to a resolution between the Auctioneers and Real Estate Commission. The DAR decided to just wait and see what the decision of the court is going to be before taking any action at this time.

Mr. Staton stated that following the meeting there will be a subcommittee meeting and that he received notification from Mr. Andy Taylor, who is part of this subcommittee, that the Commission's development of an uninhabited land disclosure would not be authorized by statute.

Mr. Giles asked about the required broker's signature on a transfer form. Mr. Giles has encountered this as being a problem to get the releasing broker's signature especially with the larger real estate companies. Ms. Wagner explained to Mr. Giles that if a person is having a problem getting the releasing broker's signature then all they need to do is let us know in writing. We need something on file showing that they have tried to get the signature.

PUBLIC COMMENT

There was no public comment.

NEXT SCHEDULED MEETING

The next meeting will be held on Thursday, January 14, 2016 at 9:00 a.m.

ADJOURNMENT

Mr. Staton made a motion, seconded by Mr. Harrington, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 10:22 a.m.

Respectfully submitted,



Sandra Wagner
Administrative Specialist III

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.